



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.3307 of 2018

Nilima Keshavrao Hedau Versus Zilla Parishad, Amravati and others

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri P.S. Patil, Counsel for Petitioner.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : 14th MARCH, 2024

1. Heard Shri P.S. Patil, learned counsel for the petitioner, at length.
2. The challenge raised in this petition is to the transfer order wherein a declaration is sought by the petitioner that the petitioner was not due for transfer in the Academic Year 2017-18.
3. The learned counsel for the petitioner would submit that the claim of the petitioner is required to be considered on the date on which the petition is filed and accordingly the petition needs to be allowed, as the petitioner was not due for transfer on the date when the interim relief was granted in her favour.
4. We have considered the submission of the learned counsel for the petitioner in the backdrop of the fact that the petitioner by virtue of interim order passed by this Court has continued for a period of more than six years on the post. It is not in dispute that the services of the petitioner are transferable.
5. In that view of the matter, we refuse to cause indulgence at this stage of the proceedings when the petitioner has enjoyed the protection for unreasonable period, that is for last six years.
6. In view of aforesaid, the petition is dismissed.
7. We deem it appropriate to clarify that in case the petitioner is to be transferred, such transfer order be given effect from the next Academic Year.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)